



RESPONSES TO INFORMATION REQUESTS (RIRs)

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BYS42125.E

Belarus: Conditions under which child-protection authorities are authorized to take a child away from his/her single mother, including whether a parent's homosexual orientation constitutes a condition that justifies the removal of a child from his/her single mother; documents required to prove that the conditions/circumstances for the removal of the child actually exist

Research Directorate, Immigration and Refugee Board, Ottawa

For general information on the conditions under which child-protection authorities are authorized to separate a child from his or her parent(s), please refer to the excerpted attachment on the separation of children from their parents and family reunification, taken from the second periodic report of the Belarusian government submitted in May 1999 to the United Nations Committee on the Rights of the Child. More recent information could not be found among the sources consulted by the Research Directorate within time constraints.

Information on whether a parent's homosexual orientation constitutes a condition that justifies the removal of a child from his or her single mother, as well as information on the documents that are required to prove that the conditions for the removal of the child actually exist, could not be found among the sources consulted by the Research Directorate.

According to an anonymous international source that was cited in a 2001 report by the Danish Immigration Service, societal attitudes towards homosexuality in Belarus are "conservative," with homosexuals "generally being socially stigmatised" (1 Mar. 2001).

The Danish fact-finding report on Belarus also indicates that homosexuality was decriminalized in 1994 although "homosexual activity with young men aged under 18 remains a punishable offence" (1 Mar. 2001). The report cites the chairman of the Sexual Minorities Freedom League "Lambda," a non-governmental organization in Belarus that advocates homosexual rights, as stating that

Homosexuality is frowned upon in Belarusian society ... and [is] condemned by the church. ...

... Parents usually take a very unfavourable attitude towards homosexuality in their children and there have been cases of parents having to move ... on account of harassment from neighbours. If there is a homosexual known to be living in a block of flats, any problems in the building are [blamed on] the homosexual. If gays and lesbians show their faces in ordinary night clubs, etc., ... gay men risk being attacked and lesbian women raped. Homosexuality continues to be regarded as an illness and until 1994 homosexuals were accordingly treated for a medical condition (Denmark 1 Mar. 2001)

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum. Please find below the list of additional sources consulted in researching this Information Request.

Reference

Denmark. 1 March 2001. The Danish Immigration Service. "Fact-Finding Mission to Belarus, 30/1-7/2 2001." <<http://www.udlst.dk>> [Accessed 22 Oct. 2003]

Additional Sources Consulted

The Belarusian Helsinki Committee in Minsk, Belarus, did not respond to a letter requesting information within time constraints.

Dialog/WNC

The Embassy of the Republic of Belarus, in Ottawa, could not respond to a letter requesting information within time constraints without consulting its government in Belarus.

The International Lesbian and Gay Association (ILGA) in Brussels, Belgium, did not respond to a letter requesting information within time constraints.

IRB Databases

Sexual Minorities Freedom League "Lambda" in Minsk, Belarus, did not respond to a letter requesting information within time constraints.

Internet sites, including:

Amnesty International

BBC

Belarus Today

Belarusian Helsinki Committee

Country Reports on Human Rights Practices for 2002

European Country of Origin Information Network

Human Rights Watch

International Helsinki Federation for Human Rights

International Lesbian and Gay Association (ILGA)

Office of the United Nations High Commissioner for Human Rights

Office of the United Nations High Commissioner for Refugees

Radio Free Europe/Radio Liberty

United Nations, Division for the Advancement of Women

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Attachment

United Nations (UN). 26 September 2001. Committee on the Rights of the Child. "Consideration of Reports Submitted by States Parties Under Article 44 of the Convention. Periodic Reports of States Parties Due in 1997: Belarus." (CRC/C/65/Add.15). <<http://www.unhchr.ch/>> [Accessed 20 Oct. 2003]

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